

Docket No.: 2815-0339PUS1
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Joachim DEMNITZ et al.

Application No.: NEW

Confirmation No.: N/A

Filed: December 20, 2005

Art Unit: N/A

For: DIARYLMETHYL DERIVATIVES AS
POTASSIUM CHANNEL MODULATORS

Examiner: Not Yet Assigned

INFORMATION DISCLOSURE STATEMENT (IDS)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Pursuant to 37 CFR 1.56, 1.97 and 1.98, the attention of the Patent and Trademark Office is hereby directed to the references listed on the attached PTO/SB/08. It is respectfully requested that the information be expressly considered during the prosecution of this application, and that the references be made of record therein and appear among the "References Cited" on any patent to issue therefrom.

This Information Disclosure Statement accompanies the new patent application submitted herewith.

A summary/abstract translation of some of the non-English language references is enclosed. Furthermore, please note that WO 97/34599 and WO 01/27070 are cited in the specification, and FR 1 510 292 corresponds to U.S. Patent 3,453,269.

Applicant has not submitted copies of each cited U.S. patent and U.S. patent application as required by 37 CFR 1.98(a)(2)(i), amended October 2004, as the U.S. Patent and Trademark

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Office has waived this requirement for all U.S. patent applications. Applicant submits herewith copies of foreign and non-patents in accordance with 37 CFR 1.98(a)(2).

A concise explanation of relevance of some of the items listed on form PTO/SB/08 is in the form of an English language copy of a Search Report from a foreign patent office, issued in a counterpart application, which refers to the relevant portions of the references.

In accordance with 37 CFR 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information as defined in 37 CFR 1.56(a) exists. In accordance with 37 CFR 1.97(h), the filing of this Information Disclosure statement shall not be construed to be an admission that any patent, publication or other information referred to therein is "prior art" for this invention unless specifically designated as such.

It is submitted that the Information Disclosure Statement is in compliance with 37 CFR 1.98 and the Examiner is respectfully requested to consider the listed references.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to our Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. § 1.16 or under § 1.17; particularly, extension of time fees.

Dated: December 20, 2005

Respectfully submitted,

By 

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PTO/SB/08a/b (07-05)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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Substitute for form 1449A/B/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use as many sheets as necessary)				Complete if Known	
				Application Number	NEW
				Filing Date	December 20, 2005
				First Named Inventor	Joachim DEMNITZ
				Art Unit	N/A
				Examiner Name	Not Yet Assigned
Sheet	1	of	2	Attorney Docket Number	2815-0339PUS1

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (if known)			
	AA*	US-3,453,269	07-01-1969	ANDRUP et al.	

FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Country Code ³ -Number ⁴ -Kind Code ⁵ (if known)				
	BA	WO-03/059873-A1	07-24-2003			
	BB	WO-01/49663-A2	07-12-2001			
	BC	WO-97/34589-A1	09-25-1997			
	BD	WO-00/50026-A1	08-31-2000			
	BE	WO-00/69439-A1	11-23-2000			
	BF	WO-01/21169-A1	03-29-2001			ABS
	BG	DE-933 028-C	09-15-1955			
	BH	AT-176 845-B	11-25-1953			
	BI	FR-1 510 292-A	01-19-1968			
	BJ	WO-97/34599-A2	09-25-1997			
	BK	WO-01/27070-A1	04-19-2001			

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. * CITE NO.: Those application(s) which are marked with an single asterisk (*) next to the Cite No. are not supplied (under 37 CFR 1.98(a)(2)(iii)) because that application was filed after June 30, 2003 or is available in the IFW. ¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
	CA	SHANKLIN, J.R. et al., Journal of Medicinal Chemistry, American Chemical Society, Washington, US, vol. 34, no. 10, 1991, pages 3011-3022.	
	CB	BRUGNARA, C. et al., Journal of Pharmacology and Experimental Therapeutics, American Society for Pharmacology and, US, vol. 273, no. 1, April 1, 1995, pages 266-272	
	CC	Database Beilstein, Beilstein Institute for Organic Chemistry, Frankfurt-Main, DE; XP002298885 & Salmon-Legagneur: Hebd, Seances Acad. Sci., vol. 245, 1957, pages 1810-1812.	
	CD	Database Beilstein, Beilstein Institute for Organic Chemistry, Frankfurt-Main, DE; XP002298886, ROS et al, Pharmazie, vol. 49, no. 10, 1994, pages 778-779.	
	CE	Database Beilstein, Beilstein Institute for Organic Chemistry, Frankfurt-Main, DE; XP002298887, TAGMANN et al., Helv. Chim. ACTA, vol. 35, 1952, pages 1541-1545	
	CF	Database Beilstein, Beilstein Institute for Organic Chemistry, Frankfurt-Main, DE; XP002298888, SALMON-LEGAGNEUR, Bull. Soc. Chim. FR., 1952, pages 994-998	
	CG	Database Beilstein, Beilstein Institute for Organic Chemistry, Frankfurt-Main, DE; XP002298889, SALMON-LEGAGNEUR, Bull. Soc. Chim. FR., 1952, pages 580-583	

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not

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considered. Include copy of this form with next communication to applicant.

¹Applicant's unique citation designation number (optional). ²Applicant is to place a check mark here if English language Translation is attached.

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